

MEMORANDUM OF AGREEMENT

Implementation of the Kansas Watershed Restoration and Protection Strategy

By

THE GOVERNOR'S NATURAL RESOURCES SUB-CABINET

(Hereinafter referred to as the Sub-Cabinet)

I. PURPOSE

This agreement memorializes the commitment of the State of Kansas to implement a collaborative interagency strategy to address watershed restoration and protection issues as recommended in the *Kansas Water Plan*. The Kansas Watershed Restoration and Protection Strategy was adopted by the Sub-Cabinet in May 2004 and endorsed by the Kansas Water Authority in June 2004.

II. STATEMENT OF PRINCIPLES

1. The present and future health and welfare of Kansas depends on its water resources. The Kansas Watershed Restoration and Protection Strategy (KS-WRAPS) ensures that watersheds provide clean water, an adequate drinking water supply, wildlife habitat, flood management, recreation, food and fiber as well as other needs.
2. KS-WRAPS engages watershed stakeholders in a process of implementing a stakeholder developed action plan that achieves stakeholder established watershed goals.
3. Effective administration of the KS-WRAPS process requires the coordinated leadership of Kansas' water resource management agencies, ensuring effective application of existing state, federal and local authorities and voluntary citizen actions.
4. The complex interaction of biology, chemistry, hydrology, soil, watershed morphology, cultures and political jurisdictions within an individual watershed requires that watershed stakeholders lead development and implementation of individual watershed restoration and protection strategies.
5. Financial assistance provided by the State of Kansas for developing and implementing individual watershed restoration and protection strategies shall be directed by a priority system that considers state and local interests in the watershed as well as previous management commitments made to the watershed.
6. The state priority interest shall consider high priority TMDLs, special aquatic life water, drinking water source protection, sensitive groundwater,

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riparian area management, federal reservoir drinking water, reservoir sedimentation, flooding and other issues as necessary.

7. The local priority interest shall consider local commitment, geographic scope, scope and extent of water resource issues addressed, diversity of stakeholder team, and other issues as necessary.
8. The KS-WRAPS priority system will be the basis for recommendations to the appropriate federal agencies for directing available federal resources.
9. Effective water resource management occurs when watershed stakeholders strive to achieve consensus through collaborative dialogue.
10. Voluntary implementation of watershed restoration and protection measures is preferred but available enforcement tools shall be used when and where necessary.

III. ORGANIZATION

By this agreement, the Natural Resources Sub-Cabinet establishes the:

1. Watershed Restoration and Protection Strategy (WRAPS) Work Group.
 - a. Purpose: Assure that all Kansas' water resources meet the expectations of all stakeholders by facilitating a collaborative relationship among state, federal, local government and private sector interests so that financial, programmatic and technical assistance resources are directed to the priority water resource needs of Kansas' citizens.
 - b. Membership: The WRAPS Work Group shall be comprised of the Sub-Cabinet agencies and any other state or federal agency or organization the Sub-Cabinet invites to be a member. Each member of the WRAPS work group agrees to execute a Memorandum of Understanding with the Sub-Cabinet (Attachment 1) identifying the agency's staff representative and the resources the agency is providing to implement the Kansas Watershed Restoration and Protection Strategy. In lieu of executing the Memorandum of Understanding, federal agencies may provide a letter and attachment providing the information described in Table 1.A indicating acceptance of the Sub-Cabinet's invitation to be a member of the WRAPS Work Group.
2. Kansas Watershed Partnership
 - a. Purpose: Assure that all Kansas water resource stakeholders are implementing the Kansas Watershed Restoration and Protection

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Strategy by providing advice and counsel to the WRAPS Work Group and promoting stakeholder participation in WRAPS projects.

- b. Membership: Any public or private organization that accepts the Statement of Principles set out in Section II above and the duties and obligations contained within the Partnership Agreement may apply (Attachment 2) for membership in the Kansas Watershed Partnership.

IV. DUTIES AND RESPONSIBILITIES

1. Natural Resources Sub-cabinet

- a. Each member agency of the Sub-cabinet agrees to execute a Memorandum of Understanding (Attachment 1) describing and defining the resources the member agency commits towards implementation of the Kansas Watershed Restoration and Protection Strategy.
- b. Approves an annual work program for watershed restoration and protection projects including funding allocations.
- c. Oversees and directs the activities of the WRAPS Work Group.
- d. Offers invitations to state and federal agencies to become members of the WRAPS work group.
- e. Approves applications for membership in the Kansas Watershed Partnership.
- f. Issues reports on the status and condition of Kansas' watersheds.

2. WRAPS Work Group

- a. Subject to any limitations identified by a Memorandum of Understanding, executes the assignments and instructions of the Sub-cabinet.
- b. Not later than each December 31 initiates a solicitation of WRAPS project proposals to be submitted no later than March 15.
- c. Not later than each July 15, prepares and recommends to the Sub-Cabinet, an annual Watershed Restoration and Protection Plan of Work for the succeeding fiscal year. Said work plan shall describe:
 - i. Proposed WRAPS projects,
 - ii. The priority score of each proposed project
 - iii. Funding recommendations for each proposed project.

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- d. Prepares for the Sub-Cabinet an Annual Report on the Status and Condition of Kansas' Watersheds. The Annual Report shall include an evaluation of implementation, measured or estimated improvement in watershed conditions, and other items the Sub-Cabinet may wish to include. To the extent feasible, the Annual Report shall facilitate any reporting obligations of individual WRAPS Work Group members.
- e. Organizes and hosts an annual WRAPS conference,
- f. Performs ad hoc studies and investigations needed to:
 - i. Support the Kansas Watershed Restoration and Protection Strategy and
 - ii. Address issues identified by the Sub-cabinet.
- g. Arranges for and provides technical assistance to WRAPS project sponsors and stakeholders.
- h. Engages the Kansas Watershed Partnership in implementing the Kansas Watershed Restoration and Protection Strategy.

3. Kansas Watershed Partnership

- a. Each member of the Kansas Watershed Partnership agrees to adhere to Statement of Principles described in Section II above.
- b. Each member of the Kansas Watershed Partnership agrees to adhere to the conditions set out in the application for membership.

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V. SIGNATURES

As attested by signature, the members of the Natural Resources Sub-Cabinet collectively and individually accept and agree to the terms of this agreement. The terms of this agreement shall stand until such time as the Governor chooses to dissolve the Sub-Cabinet or whenever any member proposed an amendment that is accepted by the other signatories.

Mike Hayden, Secretary
Kansas Department of Wildlife and Parks

Date

Roderick L. Bremby, Secretary
Kansas Department of Health and Environment

Date

Adrian Polansky, Secretary
Kansas Department of Agriculture

Date

Tracy Streeter, Acting Director
Kansas Water Office

Date

Greg Foley, Executive Director
State Conservation Commission

Date

Susan Duffy, Executive Director
Kansas Corporation Commission

Date

George Teagarden, Livestock Commissioner
Kansas Animal Health Department

Date